

REMARKS

A terminal disclaimer has been submitted herewith. Claims 8 and 10 have been amended. Claims 9 and 13 have been cancelled. Claims 8, 10 - 12, and 14 - 19 are pending in the application.

In a telephone conversation with the Examiner on January 27, 2006, Applicant agreed that the subject matter of claim 9 would be incorporated into claim 8, that claim 13 would be cancelled, that a terminal disclaimer relative to copending Application No. 10/603,758 would be submitted, and a Revised Declaration would be filed claiming priority to PCT/EP01/14191 having an International Filing Date of 12/04/2001.


Applicant has amended claim 8 to incorporate therein the subject matter of claim 9. Additionally, Applicant has amended claim 10 to now depend from claim 8 as currently amended instead on the now-cancelled claim 9. Also, Applicant has cancelled claim 13.

Claims 8 - 19 have been provisionally rejected on the grounds of obviousness-type double patenting as being unpatentable over claims 10 - 25 of copending Application No. 10/603,758. Applicant has submitted herewith a terminal disclaimer relative to copending Application No. 10/603,758 and thus submits that the provisional rejection of the present application on the grounds of obviousness-type double patenting is now overcome.

Thus, Applicant submits that claims 8, 10 - 12, and 14 - 19 are now in condition for allowance and early action toward that end is respectfully requested.

If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned.

Respectfully submitted



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